

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

MEGAN NICOLE HAMMERS,	)	
	)	
Petitioner,	)	
vs.	)	NO. CIV-16-0244-HE
	)	
DEBBIE ALDRIDGE, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

Megan Hammers, a state prisoner appearing *pro se*, filed this action pursuant to 28 U.S.C. § 2254 seeking habeas relief. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred for initial proceedings to Magistrate Judge Shon Erwin. Respondent then filed a motion to dismiss the petition based on petitioner's alleged failure to exhaust her administrative remedies as to her claim in ground two of the petition. The magistrate judge recommends the motion be denied.

Neither party objected to the magistrate judge's Report and Recommendation and thereby waived their right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C). Accordingly, the court **ADOPTS** Magistrate Judge Erwin's Report and Recommendation and **DENIES** respondent's motion to dismiss [Doc. #8].

**IT IS SO ORDERED.**

Dated this 11th day of August, 2016.

  
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JOE HEATON  
CHIEF U.S. DISTRICT JUDGE